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## BACKGROUND PAPER

# Immigrant Women in Canada

Current issues



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## BACKGROUND PAPER

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IMMIGRANT WOMEN IN CANADA - CURRENT ISSUES

A BACKGROUND PAPER PREPARED FOR THE CANADIAN ADVISORY COUNCIL  
ON THE STATUS OF WOMEN

BY

ALMA ESTABLE  
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## INTRODUCTION

### Who Are Immigrant Women?

The popular stereotype, reflected in the media and in many government programs, is that "immigrant women" comprise a homogeneous group, with some superficial variations in language and dress. In fact, the immigrant women's community in Canada is strikingly diverse. All immigrant women do not share the same history. Nor do they live the Canadian reality in the same way. Race, class, and language intersect as significant factors to determine the specific quality of any immigrant woman's life. "Immigration to Canada is a different experience for women who have come from the Punjab, Poland, or Peru. Women who come as physicians or physicists may experience the process of settlement and adaptation differently than women who are hairdressers or farmers. Women who arrive to find a large and flourishing community of their compatriots may face a different reality than women from countries that have sent few people to Canada." (Seydegart and Spears, 1985:32). It is also a serious mistake to underestimate the diversity of political beliefs among immigrant women. For example, despite similarities in race, religion, and language, women from the same country may be located at opposite sides of the political spectrum. These differences which arise in the country of origin can be carried over to women's new situation in Canada.

In addition, the experiences of immigrant women can vary greatly in different regions of the country. For example, the Atlantic region has not had a history of receiving many immigrants; women who immigrate to the Maritimes will not have the same level of informal and organized support services as those who arrive in Toronto, where almost half the population is foreign-born.

While differences among immigrant women are great, their commonalities are equally significant. As one immigrant woman stated during a 1985 consultation with Multiculturalism Canada, "I guess the fact that we are different from one another is less noticeable than that we are different from Canadians. Never mind, it makes us stronger to work together."

Whatever their class, race, language, or religion, all immigrant women must deal with the consequences of a society which is sexist, of an immigration policy which is sexist, of a labour market which is sexually segregated. They must also live and work in a society which discriminates on the basis of race: both overt discrimination arising from individual acts of racism, and systemic discrimination which is built into institutions at many levels and affects whole groups of people.

The consequences for immigrant women are especially severe. Many women feel, in the most immediate sense, enormous personal discouragement and stress as a result of finding certain doors repeatedly closed to them, or to their children, because of gender, colour, birthplace, or language. But the consequences of inequality go well beyond the individual's experience. Immigrant women in Canada have different access to education, are stuck in job ghettos, face greater unemployment and underemployment, and encounter restricted job mobility and advancement. Their access to services which all Canadians are entitled to receive, including health services, is very limited. They earn less money than Canadian women, no matter how long they work here. Their pensions, if they ever get them, will also be very small.

### **Purpose Of This Background Paper**

The purpose of this paper is to give a brief overview of some of the realities lived by immigrant women in Canada today, taking into account the differences, but focussing on those issues which are common to most immigrant women.

The increasingly organized immigrant women's community has been bringing many of these issues into the public arena in recent years. A number of national and regional conferences, task force reports, needs assessments and other studies, many sponsored by provincial and federal governments, have contributed to growing public awareness about the needs and problems of immigrant women. As well, the past ten years have witnessed a dramatic increase in community-level services by and for immigrant women, especially in the larger urban centres. The women providing and receiving these services have been vocal in demanding not



only assistance for immigrant women, but also recognition for the essential contribution that immigrant women have made to this country.

It is impossible to do justice, in a paper of this size, to the wide range and great depth of issues and concerns identified by immigrant women. It is hoped that anyone with an interest in hearing what immigrant women have to say will go beyond this overview and consult the growing body of material prepared by and about immigrant women in Canada.

This background paper is limited to an overview of issues in two main areas: immigration policy and practice, and conditions in the labour market. In addition, some issues in relation to childcare, and language training will be outlined.

Not all immigrant women are "visible minorities"; and not all "visible minority" women are immigrants. However, in many respects, the situation of Canadian-born visible minority women is remarkably similar to that of immigrant women. And although they know no other home than Canada, they experience the same kind of workplace alienation and rejection felt by newcomers to this country. The general conclusion is that "Non-white women are institutionally penalized as non-whites and as females...there is an alarming number of poor non-white women who are confronted with triple oppression. Discrimination against these women includes unemployment and underemployment, deteriorating education for themselves and their children, and inadequate health care." (Henry and Rees, 1984:24). Although every attempt is made here to consider the specific consequences of racial discrimination on immigrant women, the issue of the intersecting effects of racism and sexism in Canada deserves much deeper treatment than is possible in this paper.

Two other significant issues are omitted from this paper due to time limitations, but deserve mention here. One is the relation of immigrant women, and the organized immigrant women's community, to the organized mainstream "women's movement". The second is the role of organized immigrant women within their own ethnocultural communities, and within movements working for social justice.



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## IMMIGRATION POLICY AND REGULATIONS

### Historical Overview

One in five Canadians alive today was born outside this country. Half of this number, nearly two million, are women. Immigrants have come to Canada because economic, social, and political conditions in their countries of birth have limited possibilities for their and their families' survival and advancement. They have also come because Canada has actively sought immigrant labour.

Since Confederation, immigration has played an important role in the growth of the Canadian economy, and immigration policy has periodically changed to match the country's changing needs. For example, immigration policy was directly linked to the political and economic imperative of populating western agricultural land, through importing eastern and central European farmers; the national railway system was built by imported Asian labourers. More recently, the recruitment of skilled professional and technical workers was an essential component of the mid-1960s economic boom; and today, hundreds of thousands of women are brought into Canada under a system of bonded labour to do domestic work in private homes.

As well as responding to economic need, Canada has permitted the immigration of family members and relatives. This has been called the "family reunification" aspect of Canadian immigration policy. Many immigrants have come to Canada under this system of sponsorship, to join family who were already in the country. Sponsored immigrants are admitted under different rules from independent immigrants. The sponsoring party agrees to take total financial responsibility for the relatives s/he sponsors, for up to ten years. Sponsored

immigrants are usually close relatives of landed\* immigrants or Canadian citizens, who then become economically and socially dependent on the sponsor.

Over the years, Canada's immigration policy has alternated between relatively relaxed and very restrictive regulations. For example, at the turn of the century, a selective immigration system strongly favoured immigration from the United States, Britain, and other European countries. Immigration of certain racial and ethnic groups was forbidden by law, or strongly discouraged by regulations. For example, there was the infamous "head tax" imposed on Chinese immigrants at the turn of the century, whereby they were required to pay a tax of up to \$500 and had to have an additional \$200 in their possession to be admitted into the country (Europeans paid no tax and needed to have only \$50). This made it very difficult for them to enter Canada. Immigration policies and practices also have had different impacts on male and female immigrants, and have discriminated on the basis of sex and marital status.

Historically, Canada has selected immigrants from specific ethnic and racial backgrounds: primarily white and European. During the post-war period, when Canada experienced rapid economic growth, immigration policies were somewhat liberalized, although they continued to discriminate against the non-white population. The 1950s regulations maintained a preference for British, Irish, French, and American immigrants, through a quota system which limited immigration from Third World countries. Nine out of ten immigrants who came to Canada before 1961 were born in Europe, and three of these came from the United Kingdom.

The 1960s was a period of great economic growth, with ensuing demand for workers in a variety of skilled technical and professional occupations. Regulations were amended to reflect this need. In 1962, most restrictions based on ethnic origin or nationality were lifted. Immigration quotas were replaced by the 1967 **Immigration Act**, in which the "point system" was introduced. This was

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\* The term "landed immigrant" has been replaced officially by the term "permanent resident". Nevertheless, it remains in common usage, and is more readily understood by many immigrants themselves. This paper uses both terms interchangeably.



designed to regulate admission of independent immigrants from a wider range of countries. Under the point system, applicants were assessed according to their desirability as workers and in order to fulfil the specific requirements of a growing labour market. This was the first time in Canada's immigration policy that a potential immigrant's occupational qualifications and other personal characteristics were considered more important than her/his nationality.

Under the point system, immigrants are assessed on the basis of their personal characteristics (such as age, and professional qualifications), education, possession of a skill that is in demand, and (for sponsored immigrants) the willingness of a relative to sponsor them. They must earn a minimum number of points to be allowed to immigrate. Modifications to the point system in 1974 required that a large portion of these points be earned in one of the categories related to occupational demand. Canada's concern for obtaining immigrants who can alleviate labour shortages has led to close collaboration between government officials responsible for employment and those responsible for immigration. Formal employment services have been offered to immigrants by the government since the late 1940s. In 1966, the Department of Labour and the Immigration Branch of the Department of Citizenship formed the Department of Manpower and Immigration. More recently, the Department of Manpower and Immigration merged with the Unemployment Insurance Commission, to create the Employment and Immigration Commission (EIC).

The **Immigration Act** was revised considerably in 1976. The point system continues in effect today, with even greater emphasis being placed on practical training and experience. A major policy development was the setting of annual immigration levels by the Minister of Employment and Immigration, in consultation with the provinces, to match regional demographic needs and labour market considerations.

Canada's shifting immigration policy has combined with other factors, such as changing economic and political conditions in other countries, to affect the composition of recent immigrant populations. Since 1971, immigration to Canada from Third World and non-white sources has increased. Between 1971 and 1981, only three out of ten immigrants came from Europe, and only one of these from the

United Kingdom. Between 1971 and 1981, there were almost as many immigrants from Asia as from Europe. Immigration from Asia, the Americas (other than the United States), Africa and the Caribbean has been a relatively recent phenomenon, with 84.2 per cent of all immigrants from Southeast Asia, for example, having arrived from 1971 to 1981. (Statistics Canada, 1985).

Despite the continuing emphasis on using immigration to meet labour market needs, family reunification also remains a component of Canadian immigration policy, and the concept of sponsorship was retained in the 1976 Act. Independent immigrants and Canadian citizens continue to sponsor the immigration of close family members, most frequently wives and children. And it is through this mechanism that most immigrant women first enter Canada, as part of the "family package" that immigrant men are allowed to bring in with them.

## **The Process Of Immigration – Classes And Consequences**

### **■ Class of Immigration**

Class of immigration is a legal, social, and institutional construction that directly affects the way that immigrant women are integrated into Canadian economic and social life. A woman's class of immigration can carry long-term consequences affecting her economic survival, independence, chances for self-actualization, and even her safety in family and workplace, as will be discussed below.

Section 6 of the **Immigration Act** sets forth three basic classes of immigrants. These are briefly described below.

- i. Independent and other immigrants:
  - a) Independents are rated according to a point system which is "designed to bring immigration into line with Canada's labour market needs. Emphasis is placed on the practical training, experience, and capability of the applicant; employment-related factors account for almost half of the total possible rating points that can be awarded." (EIC, 1983:14).



Applicants must earn a minimum of 50 points. In 1983, 10,842 women were admitted as independent immigrants, slightly more than men.

- b) Assisted relatives are relatives other than those permitted under family class, who don't qualify on their own but whose kin in Canada will help them establish here. The sponsor also has to sign a statement promising to support an assisted relative for five years. Assisted relatives are also assessed on the point system. Although they are not rated on arranged employment, location, or language factors, because their relatives have promised to support them, they will have their ratings reduced by ten points if they do **not** have such arranged employment or a designated occupation in Canada. They need to earn 20 to 30 points. In 1983, 2,695 women, and almost the same number of men, came in as assisted relatives.
  - c) Retirees, entrepreneurs, and the self-employed comprise the remaining categories. Very few women come into the country in these classes.
- ii. Family class: Any Canadian citizen or permanent resident 18 or over can sponsor the immigration of certain close relatives. Family class immigrants are not assessed under the standard point system, though they must meet standards of "good health and character". The sponsoring relative in Canada is required to sign an undertaking of support, promising to provide for the lodging, care, and maintenance of the applicant and accompanying dependants for a period of up to ten years, before a visa is granted. (EIC, 1983:11). In 1983, 28,557 women were admitted as family class immigrants, compared to 20,141 men.
  - iii. Refugees: Convention refugees (those covered by the Geneva Convention on Refugees) and others are assessed according to the same factors used to select independents, but are not given a point rating. Instead, immigration officers decide whether they appear likely to adapt successfully to Canadian life; this, as well as the amount of assistance available from government or private organizations, determines whether they will be admitted. Designated classes include people displaced by emergency situations, and

those the government recognizes as refugees for special humanitarian reasons, from certain countries which may change over time.

Applicants in different classes are assessed according to different criteria. As well, only some of the classes are eligible for certain programs, such as language training, upon arrival to Canada. In addition, persons who come to Canada as family class or assisted relatives are not eligible for certain services such as social assistance or subsidized housing, for as long as ten years after their arrival.

(The **Immigration Act** also makes provision for persons to enter the country on temporary visas under special work permits, called employment authorizations. The situation of women on work permits is discussed in a separate section.)

Classification as either an independent or dependent ("sponsored") immigrant is more than a simple administrative distinction. The critical assumption is that only independent immigrants are headed for the paid labour force. Dependent (or "sponsored") immigrants are placed in a legally binding relation of economic dependence on their sponsors. This relation goes well beyond the usual interdependence and mutual responsibility that is expected between family members in Canadian society. For example, it is not customary in Canada for a person to be totally economically responsible for her/his cousin, i.e., to feed, clothe, and house one's adult cousins for a period of ten years. If one sponsors a cousin, however, the terms of sponsorship create a legally binding commitment to do so.

What does this mean for women? In 1983, almost three times as many immigrant women were dependent immigrants (family class, assisted relative) as were admitted as independents. Approximately 60 per cent of all female immigrants have come to Canada as "sponsored" immigrants, and most of these have been sponsored by their husbands.



### ■ Information Provided Overseas to Potential Immigrants

Although class of immigration is a very significant factor once women are in Canada, many immigrant women's groups have expressed their concern that many women do not fully understand the implications of being classified under different immigration categories **until they arrive** in this country, and find they are being treated very differently from their husbands. Many ethnocultural organizations in Canada have pointed out as a problem the lack of information immigrants receive prior to immigration. Partly because of gender-role assumptions in Canada and abroad, immigrant women in particular do not receive sufficiently detailed information about labour market conditions in Canada. Many women arrive unprepared for how difficult it will be to find work, and do not realize that they will not be entitled to intensive, government-sponsored training and language courses if they are classified as sponsored immigrants.

### ■ Independent Applications

Although a considerable proportion of immigrant women come in as family class or assisted relatives, about three out of ten immigrant women arriving in Canada in 1983 were independent applicants in their own right. Approximately half of all women applicants between the ages of 25 and 40 were independent, stating upon application that they intended to enter the labour force in Canada. (EIC, 1983).

Although not much attention has been paid in the literature to independent women immigrants, statistics reveal that they tend to concentrate in sex-typed occupations -- clerical, service, medicine and health, and product fabrication -- reflecting the same pattern as immigrant women in the labour force here as a whole.

Under the point system, only one person in a family, the "head", is assessed for landed immigrant status, based on that person's employability or eligibility for employment. Since the sex-typing of professions and occupations is not a uniquely Canadian phenomenon, it often happens that men from other countries have training in certain areas which are considered of higher status, or more likely to result in employment, than women's training. Therefore, since only one person's qualifications are considered, when a married couple wishes to

immigrate, they are likely to present the husband's occupation, skills, and education for assessment, rather than the wife's, trying to maximize their chances of being admitted. If the family has a better chance of gaining admission based solely on the husband's qualifications, married women with skills in an area which is not considered to be in high demand in Canada at the time of their application are not likely to mention their qualifications and training.

The "single head" assessment policy disregards the skills and potential of the immigrant wife as an asset that would complement or enhance the family's opportunities in this country. It also characterizes the family as being one with a single income-earning head, in almost all cases the husband, destined for the labour force. Thus, a great myth is created and perpetuated: that immigrant women will not work in Canada, and therefore no particular services are required for them. In fact, as will be seen in the section on labour force participation, immigrant women are much more likely to work outside the home than Canadian-born women.

Because this myth exists, there is insufficient recognition of the need for basic information on the skills and education of many immigrant women. Thus, it is virtually impossible for governments at any level to plan useful work and retraining programs, or to track how immigration has affected a woman's individual earning power or occupational status.

### ■ Family Class/Assisted Relative Applications

Immigrant women have identified some serious concerns in relation to the processing of family class applications. Immigration regulations set out an order of priority for processing immigrant visa applications in which family class, Convention refugees, and members of the designated classes are granted first priority. Nevertheless, in practice, these applications are not always processed according to the priorities set out in the regulations. The First National Conference of Immigrant Women pointed out that "One of the most apparent breaches occurs with entrepreneurial applications. Even a brief examination of the Immigration Manual Policy Guidelines with respect to entrepreneurs makes it clear that the visa officer is encouraged to facilitate and expedite such applications... in some countries visitors with student or work authorizations are

processed ahead of family class applications..." (National Conference on Immigrant Women, 1981:20). This practice appears to contradict the stated policy of promoting family reunification, and makes the application process especially long and difficult for women, who form the majority of the family class applicants.

The growing emphasis on employability of immigrants also appears at times to be at odds with the family reunification policy. The concern with matching immigrants to labour market needs can even create barriers for women who are being sponsored, and, in theory, need not prove their suitability for immediate employment. For example, assisted relatives cannot **receive** points for having pre-arranged employment, or being in a designated occupation; nevertheless (and paradoxically), they will **lose** ten points if they do not have these!

Another concern is that immigration regulations designating who can be sponsored as a family class or assisted relative applicant do not necessarily reflect actual family relationships in other parts of the world. In many other countries, it may be common for a family to consist of children and their unmarried parents, or children who are not raised by their natural parents but by other relatives who in effect adopt the children at birth. The concern that many immigrant women's groups have expressed is that Canadian immigration policy does not recognize the different family compositions that exist in many other countries, and therefore immigration officials tend to reject sponsorship applications with respect to **de facto** families.

For purposes of sponsorship, for example, until just recently, if a child's parents were not legally married, the natural father may not have been recognized by the Immigration Commission as the father. This hindered the reunification of some families. In 1981, for instance, the First National Conference of Immigrant Women recommended that "The immigration commission should recognize all children as equal before the law, and should equally recognize the rights of all parents, regardless of their marital status, to sponsor their children." (National Conference on Immigrant Women, 1981:27). The Women's Committee of the Canadian Ethnocultural Council also pointed out that "...failure to recognize a male immigrant as the natural father or common law spouse of an immigrant woman applying under the family class category may



prevent her from immigrating." (Scott, 1985:3). While recent changes in immigration regulations now allow for natural fathers, common-law relationships are still not recognized.

### ■ Long-Term Consequences Arising From Class of Immigration

A woman's class of immigration can have serious effects that impact on her life for many years after she comes to Canada. The most easily identified consequence is whether or not a woman will be entitled to receive the same training that is available to men. For example, independent immigrants can receive up to a year of subsidized, federal government-provided, full-time intensive language training. Family class and assisted relatives, who are not deemed to be headed for the labour market, are not entitled to this. As a result, most immigrant women, whether or not they are entering the labour force, are denied the same opportunity to learn English or French that is provided to most men, along with other employment-related services.

The consequences of not learning an official language can severely restrict a woman's job opportunities; without the ability to communicate, she is limited to jobs in certain sectors where one can get along without much English or French, such as unskilled factory work, or cleaning. (This is discussed more fully in following sections on labour force participation and language.)

Not being able to operate in the language of the society can also affect the balance of power in a woman's personal family life. For example, many immigrant women find themselves entirely dependent on their husband or children (who have learned the language in government training courses, at school, or on the job), for all communication with individuals and institutions outside the home. This often creates, or increases, a forced dependency of immigrant women on their husbands. For example, many women who may well have worked in their own countries become entirely economically and socially dependent on their husbands upon immigration. This greater dependence is not necessarily, as is often assumed, a result of immigrants' "traditional" lifestyles, but rather, is enhanced and even created in Canada as a result of sexist immigration policies and practices which constrict women's opportunities and deny them equal access to services which are offered to men. "Such policies very clearly lead to a woman's economic

dependence on her family, since opportunities for becoming independent are curtailed on the basis of her immigration status." (Ng, 1982:113).

The sponsorship relation has the potential of creating particular hazards for women. It is expected, by law, that family class and assisted relatives will be supported by their sponsor for up to ten years. As a result, almost two-thirds of female immigrants are denied access to legal aid, income assistance, subsidized housing, and other publicly funded social services in many places. Although both men and women need and use such services, the greater economic vulnerability of women, especially women with children, makes them the primary users of many social assistance and welfare programs. In 1981, "Women comprised 67 per cent of single low-income earners, and were the heads of more than one-third of low-income families." (NAC, 1985:98). Thus, although both male and female sponsored immigrants have limited access to social services, these restrictions are likely to create particular hardship for immigrant women.

One particularly dramatic result is that those immigrant women who find themselves trapped in marriages where they are being mentally or physically abused have even fewer resources to go to for help than are available for Canadian-born women in the same situation. As one immigrant woman who has helped to develop community-level services for immigrant women in Toronto points out, "Dependent on husbands and family because of language, immigrant women are also made dependent by a policy that denied them welfare assistance if they are sponsored. When one woman, Lillian, wanted to leave her husband because he was assaulting her, she was denied welfare by the government, was threatened with deportation by her husband, and was forced to stay in the marriage. By law, she could only get welfare if her husband broke the sponsorship, which he refused to do so." (Bodnar, 1985:145).

As well, women who are sponsored are vulnerable to deportation if their husband or sponsor is deported. Although such a deportation can be appealed, "Such an appeal would have its own psychic and economic cost." (Boyd, 1986:49).





## **IMMIGRANT WOMEN IN THE LABOUR FORCE**

What is the employment situation of immigrant women? To understand the dramatic inequality experienced by immigrant women in the labour market, it is necessary to consider the gender divisions and class structure of the Canadian labour market itself.

As is well documented in the literature, this market is sex-segregated: women's jobs are found mostly in clerical, service, and certain areas of the industrial sectors. Women's jobs in Canada are characterized by low wages, lack of status, and insecurity. Many of these jobs are also considered (not necessarily accurately) to be low- or semi-skilled, and do not generally lead to better opportunities.

Many immigrant women, lacking Canadian work experience, with little formal education, no job training recognized in this country, and often facing the additional barriers of language and racial discrimination, find their access to even the female-dominated portion of the labour market restricted.

### **Do Most Immigrant Women Stay At Home? - Labour Force Participation Rates**

"Historically, the nation builders have been recorded as men... The historical exclusion of women from the public worlds of business, finance, economics and politics means... less is known about how women live and work, and the resulting invisibility is reflected in public policies and legislation." (Women Against the Budget, 1985:88). There is a tendency on the part of governments, researchers, and the general public to discuss labour market participation solely in terms of the male labour force. This disregards the significant participation rate of women in paid employment, and makes it difficult to make policies that take into account the particular and different circumstances of women and men. It is not surprising, therefore, to find that the specific situation of immigrant women has seldom been examined seriously in studies of the immigrant labour force in Canada. For example, such labour force studies found that immigrant men tend to

have higher participation rates than Canadian-born men. But it is only recently that researchers have been asking: what about immigrant women?

EIC data have been criticized because they do not measure employment in what has been called the hidden or informal economy (which includes, for example, women who work for cash, not as regular waged employees, as housecleaners and babysitters, two occupations in which many immigrant women are found). Even so, the statistics show that the labour force participation rate of immigrant women is very high, consistently exceeds that of Canadian-born women, and continues to grow. In fact, a majority of immigrant women are active in the paid labour force. Issues related to employment are therefore very significant to the lives of most immigrant women.

What are the figures? In 1971, native-born women had a labour force participation rate of 39.8 per cent; women who came to Canada between 1961 and 1971 had a much higher rate of 52.1 per cent. Data for 1976 show a continuation of the same trend, with a participation rate of 54 per cent for women who immigrated between 1971 and 1976, higher than the 45 per cent average of all Canadian women. (EIC, 1981).

Data from the 1981 Census confirm that this pattern has continued. Using a standardization procedure which accounted for age differences between the immigrant and Canadian-born populations, a 1985 Statistics Canada study found that labour force participation rates for immigrant women are still higher than for Canadian-born women: 55.6 per cent and 52.1 per cent respectively.

The figures also show that the longer immigrant women are in Canada, the more likely they are to work outside the home. For example, 60.5 per cent of women who immigrated prior to 1961 participate in the labour force, a considerably higher rate than the average for Canadian-born women. This finding is particularly striking since this category contains the oldest immigrants, including large numbers of women over retirement age. It also upsets the commonly held assumption that immigrant women only work at the beginning, until their husbands manage to "move up" in the labour force.

Although, on average, all immigrant women have a higher participation rate than Canadian-born women, the pattern of immigrant women's employment is much more complex. For example, participation rates vary according to place of origin; place of birth has a different impact on women than on men. The highest participation rates occur for women born in the Caribbean (69.4 per cent) and Southeast Asia (68 per cent), substantially higher than the average Canadian-born female rate of 52.1 per cent. (Statistics Canada, 1985).

### **Where Do Immigrant Women Work? – Location In The Labour Force**

Despite immigrant women's higher rate of labour force participation, statistics confirm what immigrant women's groups have been stating for years: immigrant women are at a disadvantage in a labour force that is stratified not only by birthplace, race, and ethnic origin, but also by sex.

In many ways, Canadian-born and immigrant women have similar experiences in the workplace. For example, immigrant women are likely to enter sex-segregated occupations in a similar pattern to Canadian-born women, and many work in clerical and service sectors. Immigrant women in professional occupations tend, like most women, to be found doing sex-typed work. In the health professions, for example, more immigrant men find work as physicians, while immigrant women work as nurses. (EIC, 1981).

Although both immigrant and Canadian-born women tend to be in traditional "female" occupations, with the lower status and pay accorded these in our society, immigrant women are the most disadvantaged. They are **over**represented in the service, production, and materials handling occupations, and **under**represented in the white collar and professional occupations. For example, 1971 Census figures show that 9 per cent of Canadian-born women, compared to 5 per cent of immigrant women, were in teaching, whereas 11 per cent of immigrant women compared to only 4 per cent of Canadian-born women worked in the production sector.



A woman's race or colour will also affect her location in the labour force. "A profile of the visible minority woman as a worker indicates the majority are to be found in low paid, non-unionized areas of service occupations, in temporary jobs on contract but without tenure, or in a variety of occupations holding down jobs with no clear-cut criteria for promotion." (Burke, 1984:3).

Because of their concentration in low-wage sectors, immigrant women are the most clearly disadvantaged group in the Canadian labour force. In 1971, almost one in three immigrant women was located in the poorly paid sectors of services and product fabrication and assembling, compared to only one in five Canadian-born women and one in six Canadian-born men. (Statistics Canada, 1971). The 1981 Census shows this trend has continued. Of all foreign-born women in the labour force, 14.7 per cent are located in processing, fabricating, and assembly occupations, compared to 6.3 per cent of Canadian-born women. (Boyd, 1986).

How does this happen? Women in Canada's sex-segregated labour force are more likely than men to work part-time, and to be located disproportionately in certain sectors of the labour market. In a landmark 1979 study for the Canadian Advisory Council on the Status of Women, Arnopoulos documented many of the problems faced by immigrant women in the labour force. Working from data obtained in the 1971 Census, Arnopoulos documented the labour market location of immigrant women in Canada. Her figures clearly illustrated that immigrant women tend to be located in both the highest and lowest status occupations in the labour market. Immigrant women are found in higher status professional occupations in roughly the same proportion as Canadian-born women. (The situation of immigrant women professionals is discussed in a following section.) But immigrant women are also overwhelmingly concentrated in the lowest-paid, lowest-status jobs. Arnopoulos concluded that "More than any other group, women immigrants are located in the poorly-paid labour market sectors where they work as domestics, chamber maids, building cleaners, dishwashers, waitresses, sewing machine operators and plastics workers. Ignored by unions and inadequately protected by provincial legislation, they occupy the bottom rung of the 'vertical mosaic'." (Arnopoulos, 1979:3).

Five years later, the situation had not improved. EIC statistics for 1976 show that immigrant women were more likely to be found in certain occupations than the whole of the Canadian female labour force. For example, 37 per cent of immigrant women were in products fabricating, compared to the national female average of 22 per cent. In certain higher status occupations, immigrant women were slightly underrepresented: 17 per cent were in professional and managerial occupations, compared to a national average of 22 per cent. (EIC, 1981).

Census data on earnings also show that immigrant women are among the poorest people in our country. In terms of income, immigrant women are ranked at the bottom of the list, after Canadian-born women, immigrant men, and Canadian-born men. This is compounded by the fact that career mobility for foreign-born women is much lower than that of men or native-born women. It seems that even after many years of working in this country, immigrant women do not "catch up" to Canadian-born women in terms of occupational status.

### **Is It The Same For All Immigrant Women? – The Interaction Of Sex And Other Factors**

Are **all** immigrant women affected by this "double disadvantage" in the workforce? The picture is very complex. As a result of changes in Canadian immigration policy throughout the years, immigrant women vary considerably, in relation to country of origin, race, educational level, and occupational skills with which they entered the country. For example, in general, immigrants who came from Great Britain and the United States have been better qualified for work in a highly industrialized country than those from Italy or Portugal; and those from Asia have had considerably higher educational levels than those from Greece. (Boyd, 1980). Recent women immigrants have above-average levels of education, and have attained higher levels of education than is average for Canadian-born women (Commission on Equality in Employment, 1984). These variations in part reflect the changes to immigration regulations in the 1960s, which introduced the point system emphasizing skills, while retaining the family reunification and sponsorship system. As a result, it was possible for relatively unskilled workers from southern

Europe to join relatives already here, while those from Asia, who had previously not been especially welcome in Canada, could immigrate only if they had the required skills to make up necessary points.

Significant sociodemographic differences exist among the various ethnocultural immigrant groups, in part the result of the successive waves of immigration. For example, eastern European immigration occurred largely prior to World War II, and Italian immigration was largely a feature of the 1950s; the average eastern European immigrant is eight years older than the average Italian immigrant, and six years older than the average paid labour force employee. (Boyd, 1980). Women from southern Europe have on average been here for 13 years; those from other than the United States, the United Kingdom, and Europe, for only nine years. Women from the United States and eastern Europe have been here for the longest period, an average of 21 years. (Boyd, 1980).

The immigrant population is also very heterogeneous in relation to social origin, education, and occupational status. For example, immigrants from the United Kingdom, the United States, western Europe, Asia, and the Middle East tend to have higher than average educational attainments, compared both to native-born Canadians and to immigrants from other regions, such as southern Europe. Women from the Philippines have the highest levels of education, with 38 per cent having university training.

One 1980 study (using data from 1973) suggests that the lower **occupational** status of immigrant women relative to Canadian-born women is more characteristic of some birthplace groups than of others. All immigrant women have occupational statuses on average below those of Canadian-born women, and also lower than immigrant men from the same country. However, for women born in the United Kingdom or the United States, the disadvantage of being foreign-born is considerably less than for women of other countries. This suggests that "... the double negative of 'immigrant and female' is less of a factor in the occupational achievement of those immigrant women who are members of traditionally preferred groups (e.g., Great Britain and the United States) than it is for groups which in the past have been labelled as undesirable (such as the Asians, the Eastern European origin groups at the turn of the century)." (Boyd, 1980:21). The 1981



Census confirms that there are considerable differences in the occupations held by immigrant women from different regions. For example, 34.6 per cent of women from southern Europe are employed in processing, fabricating, and assembly occupations, whereas only 4.0 per cent of women from the United States are located in these areas.

Despite the sociodemographic differences (in education, paternal occupation, and family origin status) which account for some of the group differences in occupational status, a careful analysis of the data shows that these are insufficient to explain the lower occupational status of immigrant women. In other words, this lower status is not a result of immigrant women bringing in a lower stock of resources into the labour market. For example, immigrant women who entered Canada between 1961 and 1971 were better educated than either native-born women or native-born men (EIC, 1981:20), and yet also were overrepresented at the lower end of the occupational scale.

Rather, the evidence suggests that the double negative persists for immigrant women even when one takes into consideration such differences among groups as education, paternal occupation, and other indicators of status. It seems that being both foreign-born **and** female creates a double disadvantage in the workforce for **all** immigrant women in Canada, and that this double negative is what accounts for their lower occupational status, concentration in poorly paid and insecure occupations, lower income, and higher rates of unemployment.

This double disadvantage turns into a **triple** disadvantage for women of colour. Immigrant women from visible minority groups must also face the pervasive racism of a Canadian society which discriminates against non-whites in the workplace. Racial discrimination manifests as individual acts of prejudice, but also is incorporated into Canadian society and institutions in a systemic way. This discrimination has been well documented in a number of recent studies. The Royal Commission on Equality in Employment (often referred to as the Abella Report) defined systemic discrimination as: "a general employment condition, specific practice, or approach to hiring or promotion that applies equally to everyone at a workplace but that negatively affects employment opportunity or advancement for specific groups of people". "Discrimination in this context means practices or

attitudes that have, whether by design or impact, the effect of limiting an individual's or a group's rights to the opportunities generally available because of attributed rather than actual characteristics. What is impeding the full development of the potential is not the individual's capacity but an external barrier that artificially inhibits growth." (Commission on Equality in Employment, 1984:2). The Commission called for "an attack on racism, which though sometimes inadvertent is nevertheless pervasive" as the starting point for achieving employment equity for visible minorities. Individual acts of discrimination are not uncommon, and prejudiced attitudes on the part of employers greatly limit job opportunities for people of colour. A recent Toronto study, entitled **Who Gets The Work?**, documented the prevalence of discrimination in the Toronto job market. The findings included, for example, that persons from different racial groups applying for the same job were often given very different information; that is, some were told the position had already been filled, whereas others applying later the same day were told it was still available. Henry and Ginzberg concluded that "The overall ratio of discrimination is. . . 3 to 1. Whites have three job prospects to every one for blacks." (Henry and Ginzberg, 1985).

These authors also found evidence of sex differences in employment possibilities, but caution that much more thorough analysis is necessary: "One of the difficulties in understanding these differences in the degree and type of discrimination experienced by different sexes within groups is the non-equivalence of labour-market sectors between males and females. The females have a secretarial-clerical sector of 24.1% that has no equivalent male category. Likewise, males have categories of jobs that do not appear for females, such as mechanics and drivers." (Henry and Ginzberg, 1985:67).

For women, the most obvious consequence of racial discrimination in employment is income disparity between white and non-white women. For example, a 1981 survey of ethnic inequality and job segregation in Metro Toronto found a definite hierarchy of average incomes, with West Indian women at the bottom of the scale. Even when factors such as education, language, and work experience were taken into account, "visible minority women underearned by several thousand dollars, women of Chinese origin by \$3,500.00 and West Indian Black women by \$3,000.00." (Burke, 1984:5).

Other studies have pointed out that women from the same country may also experience different sets of disadvantages depending on class position. For example, although they may both be underemployed or exploited, a professional, well-educated, urban woman from Latin America may find herself in a different labour market position in an urban Canadian setting than an illiterate, "unskilled", rural woman from the same country.

### **Some Specific Work-Related Problems Experienced By Immigrant Women**

Because immigrant women form such a heterogeneous group, it is difficult to categorize their labour force problems. It is beyond the scope of this paper to present a complete review of the whole spectrum of theories which attempt to explain why immigrant women experience labour market difficulties. Their problems have been attributed by some writers to differences between foreign-born and Canadian-born women in respect to factors (such as education) which are associated with labour force location; others blame "systemic discrimination, problems of language acquisition,...and employer-created barriers" (EIC, 1981:22), or point to the greater "traditionalism" of immigrant groups, as holding the answer.

Writing from another perspective, Ng emphasizes that "...immigrant women's situation and experience must be seen in terms of the social organization of Canadian society, and must not be treated merely as 'cultural traits' which they brought with them." (Ng, R. 1981:98). Some researchers have focussed on the segregated nature of the Canadian labour force, and the implications of immigrant women's position in a society with wide disparities of wealth and power, with a discernible pattern of social and economic inequalities -- a class society in a capitalist economy motivated, to a great degree, by the desire of business and employers to maximize profit. Immigrant women entering the labour market "increase competition for jobs, thereby providing industries and businesses with a relatively cheap labour pool" (Ng and Das Gupta, 1981:83), which can be manipulated to meet the needs of employers.



Although different writers attempt to account for immigrant women's disadvantaged position in different ways, there is a general consensus that severe difficulties **do** exist. The following section examines, in some detail, the specific work-related problems that many immigrant women encounter and that many immigrant women's organizations have identified as important areas for change. The experiences of women in the services, industrial, agricultural, and professional sectors, as well as some of the difficulties encountered by women in the home will be described.

### ■ In The Industrial Sector

The kinds of problems faced by low-paid immigrant women working in the garment and textile sectors of the labour force were very well documented by Arnopoulos in 1979, and confirmed by several other writers since then. These researchers have shown that immigrant women provide a much needed "captive" labour force for industrial employers, and that a combination of structural factors leads to their "capture" in such occupations.

How does this happen? Immigrant women working in many industries tend to have little formal education, and may speak no English or French. Without the opportunity to develop other skills, learn an official language, or make other contacts, many find themselves stuck in a job ghetto in the garment industry. They are subject to hazardous and exploitive working conditions, long hours, and very poor wages, especially those doing piece-work and work at home. Although minimum labour standards legislation applies to industrial workers in most jurisdictions, many women are unaware of their rights, and are very fearful of complaining. This situation arises, in part, because high unemployment rates in the garment industry make many women afraid of losing their jobs if they complain.

Almost half of the garment industry is unionized; however, labour unions have not always been effective in protecting the rights of women workers. It has been suggested that the goals of organized labour and of immigration policies are in contradiction to each other, since encouraging workers to enter the country to meet the demands of industry increases competition for jobs and lowers wages.

Historically, workers in Canada, as in many other countries, have joined together to form labour unions, and struggled for higher wages and better working conditions in many industrial sectors. In the past, however, it was primarily certain male workers who were organized into unions. They did this "by excluding or selectively organizing women, ethnic minorities and children, thus contributing to the formation of a segregated labour force. As a result of this tradition in our union history, many of the jobs in the lower echelons of the labour market remain unorganized to this day. Most non-English speaking immigrant women, with the exception of about 40 per cent of those in the garment and textile industry, are locked into the unorganized job ghetto." (Ng and Das Gupta, 1981:85). As well, since many of our unions are based in the United States, some Canadian workers have begun to question how effectively their specific interests are represented.

Employers have been known to use any number of delaying and obstructing tactics to counter organizing drives in the textile and garment sector. With a captive and uninformed labour force, which is what immigrant women provide, this has been particularly easy for employers to do. For example, changes to the **Immigration Act** implemented in 1978 broadened the conditions under which an immigrant could be deported, to include even the **suspicion** (rather than proof) of possible **future** acts of subversion against government institutions. This has made it easier for employers to influence and frighten women, especially newcomers, by telling them unions are communist, or illegal, or that political or union activities provide grounds for deportation.

Immigrant women suffer from higher rates of unemployment than men and than Canadian-born women. (EIC, 1981). Some studies attribute this in part to the fact that so many immigrant women are located in the garment and textile industries, with their high turnover rates, periodic layoffs, and characteristic high unemployment. As well, women who work in this job ghetto find it very difficult to get other types of work when they are unemployed, since they lack other marketable skills. Since they have had no opportunity to develop a facility in either official language, many other types of work remain closed to them.

## ■ In The Service Sector

Many immigrant women work as office cleaners and domestic workers. Frequently, a cleaning job will be the first employment that an immigrant woman gets, often through a network of informal contacts. They often take this type of work because the flexible hours permit women to organize their workday around other family members' jobs, or children's school hours. They also work in this sector because English is not usually a requirement for most cleaning jobs. Jobs in the service sector also provide women with one way to market the skills they have developed from childrearing and housekeeping, and do not require further training.

As well, ascribed roles, that is, the social attitudes which limit the type of work that certain people are **expected** to perform, may also play a significant part in women's "choosing" to do service work. For example, most Canadian employers would consider it expected and acceptable to have a Portuguese "cleaning lady"; it is not so expected or acceptable to have a female Portuguese engineer, or an American office cleaner.

Many immigrant women also work in service occupations in restaurants, hotels, and food industries, where they occupy the lowest positions, as dishwashers, kitchen help, chambermaids, and cleaners. It is well-documented that service-sector jobs, especially at the lowest levels, are underpaid, non-unionized, and insecure. It is commonly assumed, by immigrant women and by the general Canadian population, that this type of employment will be temporary, and only the first step in upward mobility in a new country.

But the tragedy for many immigrant women is that, in practice, low-level service jobs too often become a dead-end. They do not provide women with skills that are marketable in other sectors. In many instances, this type of employment lessens women's chances of learning English; the cleaning and restaurant industries, for example, can become "language ghettos" for many women.

Many immigrant and visible minority women end up in service jobs because other possibilities are closed to them. It has been pointed out that "the 'White Collar' aspirations of the Caribbean and East Indian immigrants may be out



of line with the entrance status thought proper for these ethnic groups, in spite of the personal qualifications they have to offer." (Burke, 1984:5).

Arnopoulos pointed out that the government's 1970s policy of importing large numbers of foreign workers on short-term permits tied to domestic work was leading to increased number of unskilled immigrant women in the labour force. The situation of domestic workers on employment authorizations deserves separate consideration.

### ■ Domestic Workers on Employment Authorizations

Over 35,000 women came into this country in 1983 under temporary work permits. They are not considered "immigrants" in the strict sense of the word, and are not included in general immigration statistics. Nevertheless, they are almost as numerous as those who arrive with permanent resident status, and many of them will, or would like to, stay in Canada.

Over half of these women are destined for service occupations, primarily working as live-in domestics in private Canadian homes. They are also among the most exploited and abused of all working women in Canada today. One organization working for domestics' rights holds that "...their slave-like treatment reflects and reinforces the low status of housework in this society, and the equally low status of those who perform it, i.e. women, and most especially Third World women... No one feels the full force of the equation between women and free housework more than the Third World woman. She is still being brought to the 'advanced' countries like Canada to labour like a beast of burden with pay rates and working conditions which were outlawed long ago for 'real' workers. To sexism is added racism, making the hardest and lowest paid housework jobs the domain of women of colour." (Ramirez, 1984:17).

The following section outlines the specific exploitation of foreign domestic workers, many of them visible minority women from Third World countries, under a system of temporary work permits. It includes an overview of the temporary work permit system, explains working conditions and wages, and outlines recent policy changes. The response of immigrant women's organizations,

and domestic workers themselves, to changes in the system is also briefly described.

- The Temporary Work Permit System

Canada has consistently relied on women recruited from other countries to meet the demand for domestic workers in Canadian homes since before Confederation. The present-day regulation of domestic worker immigration began with a program set up with the Jamaican government in 1955, which permitted women to move to Canada under relaxed criteria, if they were prepared to spend at least a year doing domestic work.

In 1973, the federal government changed immigration rules regarding domestic workers, with the implementation of the Temporary Employment Authorization Program. The normal landed immigrant status for domestic workers entering the country was transformed into short-term work permits, renewable on a yearly basis for a limited period of time. This resulted in a system in which there were two classes of Canadian residents -- those with rights and those with virtually none. Under the temporary work permit system, domestics were forbidden by law from ever qualifying for permanent residence in Canada. The domestic worker on employment authorization was tied not only to a specific type of work, but also to a specific employer. The average stay was three years, after which they were usually ordered to leave Canada, to be replaced by other women from the same countries.

Between 1973 and 1979, 60,000 women entered Canada under these conditions. Most were visible minority women, from the Caribbean and, more recently, the Philippines. Live-in domestic work is becoming a preserve of Third World women in Canada. Judith Ramirez, an organizer with community domestic workers' organizations in Toronto, claims that the Temporary Employment Authorization Program "...has been a revolving door of exploitation which has met the considerable demand for live-in domestic work in Canada at the lowest possible cost to the employers and government alike." (Ramirez, 1984:17).

### ● Working Conditions

Historically, domestic work has been plagued by poor pay, long hours, and low status. The situation in contemporary Canada is no exception. When the domestic worker is also from another country, speaks a different language, is unfamiliar with Canadian law and customs, is a member of a visible minority group, and has few friends or family nearby, the potential for abuse is great.

The Arnopoulos report, for the Canadian Advisory Council on the Status of Women, brought into the public eye the specific exploitation of foreign domestic workers in Canada. Arnopoulos documented a system which appeared to operate against the interests of the domestic workers. "Employers are not living up to their agreed conditions of work and employees are too nervous to do anything about it. Where a domestic complains to her employer about work load, she is often threatened with deportation if she files an official complaint. Many foreign workers, who do not know the customs here, believe their employers... Below standard conditions common to domestic workers are reflected in long work days with almost no regular time off or holidays... many domestics are on duty from seven in the morning when they start breakfast to eleven in the evening when they clean up snack dishes... " (Arnopoulos, 1979:28).

Domestic workers' organizations, such as the Montréal Household Workers Organization, the International Coalition to End Domestic's Exploitation (INTERCEDE), and the Domestic Worker's Union of British Columbia, have continued to document major problems in relation to wages and working conditions in the seven years since Arnopoulos' report first made these public.

### ● Protection Under Labour Standards Legislation

Coverage of domestic workers by provincial labour standards legislation is far from uniform across the country. It is common to exempt at least certain classes of domestics (e.g., those primarily involved in caring for children in private homes) from various provisions. Domestic workers are frequently exempt from minimum wage regulations, or have a lower minimum wage established by legislation. Few jurisdictions recognize a maximum work week or regulate overtime pay. Only a few provinces have established maximum amounts which an employer is allowed to deduct for room and board.



It should be pointed out that even in jurisdictions where a minimum wage is provided for, the actual hourly wage of domestic workers can be much less. It is not uncommon for live-in domestics to be working or on call for 60 to 80 hours per week, lowering their **actual** hourly wage to as little as \$1.47 per hour from a minimum wage of \$4.00 per hour.

The wages of domestic workers on employment authorizations are governed, as of 1981, by a legally binding contract which stipulates a wage rate of 25 per cent above the local minimum wage. In Ontario, this would mean a wage of \$710 per month (minus \$200 per month room and board).

This wage is not always adhered to, however. Because employer's contractual obligations are not monitored, employers are able to change hours of work, duties, and pay rates, as if no contract existed. INTERCEDE has documented a large number of such cases in recent years. In theory, complaints of this nature could be taken to provincial employment standards agencies. However, many provinces will enforce only their own minimum standards, rather than the terms of the federal immigration contract's additional 25 per cent above minimum wage.

A brief summary of provincial labour standards legislation as it affects domestic workers is included as Appendix A (p. 51).

#### ● Implications Of Recent Changes

Since the publication of Arnopoulos' report in 1979, domestic workers have continued to organize across the country. The First National Conference of Immigrant Women, held in 1980, passed a unanimous resolution calling for the abolition of the temporary work permit system. A coalition of community and immigrant women's organizations mounted a successful lobbying campaign which resulted in changes to the Temporary Employment Authorization Program. The most notable change was to allow domestics who have worked in Canada continuously for two years to apply for landed immigrant status (permanent residency) from within Canada, instead of having to leave Canada to be allowed to re-apply for entry as landed immigrants. Other policy changes included the provision that employers would pay 25 per cent over minimum wage, that the

services of Canada Employment Centres would be extended to domestics, and that employers and domestics would be required to sign a written agreement setting out pay, hours of work, and duties.

Achieving landed immigrant status was made contingent on the domestic meeting certain assessment criteria, which would demonstrate "potential for self-sufficiency". Each worker is evaluated on the basis of education, work skills, upgrading while in Canada, financial management, personal suitability, family and community ties, and number of dependants. This assessment is carried out by an immigration officer who has a great deal of discretion in applying the policy guidelines. If the worker is found wanting in any area(s) by the immigration officer, she may be referred to upgrading courses, and again assessed at the end of a year. If she then satisfies the immigration officer that she has sufficient "potential for self-sufficiency", she is granted permanent resident status. If not, she is given one last year to work, and then must leave Canada.

Many domestics initially responded to these changes with guarded optimism. While the ability to apply for landing while remaining in Canada is a definite improvement, the emphasis on upgrading and self-sufficiency was problematic. The guidelines leave room for discretionary interpretation on the part of individual immigration officers, and this also concerned groups who are aware of the potential for discrimination in such situations.

The interpretation of "self-sufficiency" is one example of how the policy may in fact be discriminating against many domestic workers. Earning potential is one factor which enters into the assessment. This presents a "catch-22" for many women. Because of the miserably low wages paid to domestic workers, almost no domestic worker receives a wage that could be considered "self-sufficient". Candidates who have been working as domestics in Canada, but have skills or upgrading in fields other than domestic work, where wages are higher, are more likely to be judged to have a potential for self-sufficiency, and thus qualify for permanent resident status.

It appears likely that older domestic workers, with little formal education and with dependants, may find it very hard to qualify for permanent

residency under the new regulations. Many women in this category come from Caribbean countries, and have chosen to work as domestics as a lifetime occupation, rather than as a temporary step towards something "better". "Their fear, echoed by leaders of the black community, is that the policy favours women with more formal education, with few or no dependants, who intend to **leave** domestic work once they become permanent residents in Canada." (INTERCEDE, 1983:3).

To discover how fairly the criteria had been applied, in 1983 INTERCEDE prepared a report on the implementation of the new policy. The study confirmed that life-long domestic workers, with several dependants, who wish to remain in the field of domestic work after landing, would have the greatest difficulty in qualifying for permanent residence. A number of problems in the implementation process were identified, including inadequate referrals to Canada Employment Centres for upgrading, not enough information about the reasons for negative assessment, and some individual instances of discrimination.

A striking finding was that, overall, where specific problems in the implementation process were identified, the result was to consistently jeopardize a particular group of workers: domestics from the Caribbean. It appears, therefore, that all candidates are not being provided with an equal chance (regardless of age, racial group, and family status) to become permanent residents with the new policy -- an instance of systemic discrimination.

Many additional concerns have been identified by domestic workers and immigrant women's groups. Some are outlined below:

- There is a need for proper counselling on how to satisfy immigration criteria. If a domestic worker does not "pass" the first time around, the three-year limit on repeat applications makes it likely they would not make it at all, since opportunities for effective upgrading are quite limited, and may be inaccessible to many workers. A possible response is the establishment of specialized, community-based counselling services for domestics seeking landed status, such as the Service Unit opened by INTERCEDE in Toronto in 1984.

- INTERCEDE also holds the position "that no woman who came to Canada to do domestic work should have to acquire a second trade in order to qualify for permanent residence. The value of her skills and experience in performing housework, and in meeting a well-established need in the Canadian labour force should weigh heavily in her favor when undergoing 'assessment' ". (Ramirez, 1984:18).
- Another concern is the lack of adequate and appropriate upgrading for women who do wish to change their trade; flexible, innovative, community-based courses are needed.
- Domestic workers on employment authorizations have to pay into UIC and CPP; however, they almost never receive these services. For example, although in theory domestic workers are eligible for UIC, in practice they have been required to find new employment or leave the country well before the expiry of the waiting period, and thus never receive benefits. It has been estimated that the Canadian Consolidated Revenue Fund receives almost two million dollars a year from the employment of foreign domestic workers; in the period between 1973 and 1979, revenues from CPP and UIC premiums paid by domestic workers on temporary authorizations and their employers totalled a minimum of \$11,288,751. (EIC, 1981:70). A 1981 Employment and Immigration Task Force on Domestic Employment Authorizations concluded that "If the use of employment authorizations continues on any widespread basis, we will continue to have a population of visiting workers who pay, or who have paid on their behalf, about one month's salary per year to the state for services which they will never receive. This, in effect, taxes a very poor and weak segment of society for dubious ends." (EIC, 1981:71).
- The recently imposed \$125 fee which must now be paid on applying for permanent residence (landed immigrant status) is strongly objected to by domestic workers' and immigrant women's organizations. Many immigrant and ethnocultural organizations feel the additional fee is unfair; in the context of this discussion, it should be pointed out that such a fee subjects women with very low incomes, such as domestic workers, to particular hardship.
- Is it fair to force live-in domestic workers to pay for room and board as a deduction from their wages, when they have no say in what they eat or where they live, and cannot negotiate these? These are often inadequate; yet in Ontario, for example, the Employment Standards Branch refuses to arbitrate disputes about the quality of room and board.



- The employment contract which now must be signed between employer and domestic worker is not easily enforced. For example, since there is no requirement that the employer keep a record of hours worked, disputes about overtime pay or time off are difficult to resolve. As well, there is no mechanism to ensure that employers pay the wage they agreed to, and that duties or working conditions do not change after the contract is signed. Relying on domestics to individually report violations to EIC has proved unrealistic. Many organizations have suggested the institution of a system of "spot checks" as an alternative method.
- Finally, and perhaps most urgent, is the issue of weak provincial labour standards legislation. For domestic workers to have a real chance at gaining landed status, the provinces have a critical role to play in strengthening labour standards legislation to protect them, and to ensure that a "self-sufficient" wage for domestic work stops being a contradiction in terms.

### ■ Immigrant Women Farm Workers

Certain sectors of Canadian agricultural production rely on wage labour. Many of these wage labourers are women, frequently immigrant women. In British Columbia, for example, the majority of wage labourers in fruit and vegetable farms are women of Chinese and East Indian origin.

Working conditions for seasonal agricultural labourers in this sector are atrocious. Women have to work long hours, doing back-breaking work, often far from toilet facilities or clean drinking water. Year-round workers are also subject to being laid off without notice, and have to work in chemically hazardous situations with few or no protections or benefits.

One woman describes her experience with seasonal agricultural employment: "There were no jobs available for new Canadians in the Vancouver area. All the jobs required Canadian experience. A lady from across the street used to go to work on the farms and she told me that there was a lot of work if I wanted to go too. . . We took our children with us. We had to get up at 4 o'clock in the morning, make lunches, wake the children, feed them and be ready for the truck whenever it came. . . The work day could be 10 hours, 12 hours and in some cases 14 hours long. . . We couldn't afford to pay a babysitter whose charges would

be almost equal to my wages. We were never paid regularly. I had been working for 2 months before I got my first paycheque." (Bains, 1982:5).

Immigrant women who work as agricultural labourers do not receive adequate protection from labour standards legislation. Farmworkers are another category that is usually excluded from legislation governing minimum wage and hours of work. Seasonal farmworkers find it especially hard to find enough consecutive days of work for the same employer to qualify for UIC benefits. Living conditions are also very poor for most seasonal migrant workers, and are not usually covered by Worker's Compensation.

The Canadian Farmworkers Union recognizes that "Many of our members have compounded problems; not only are they women, they are immigrant women who also have their own cultural expectations placed upon them. Again, our 'just' society has decreed it to be okay to exploit immigrants. After all, the common taunt is, 'if they don't like it they can go back home!'" (Cavanagh, 1982:6). In some areas, such as British Columbia, immigrant women who work as agricultural labourers are now struggling "not only to fight for union security and recognition, but also to demand English language training on the job, maternity protection, day care provisions, health and safety provisions, and benefits." (Cavanagh, 1982:6).

### ■ Barriers Encountered By Professional Women

As pointed out in a previous section, immigrant women come from a variety of class and educational backgrounds. Professional women also face barriers in becoming fully integrated into the Canadian labour force.

A major concern for professional women has been the validation of their qualifications. Many immigrant women come to Canada with advanced education, and considerable professional training and experience. Nevertheless, many of them find themselves unemployed, or underemployed, having to accept jobs well under their level of qualification, or entirely unrelated to their field of study. Immigrant women's organizations have identified two main problem areas regarding professional women's employment opportunities: accreditation of foreign qualifications, and the issue of Canadian experience.

Many immigrant women find that their qualifications are not recognized in Canada. This is especially ironic because it is frequently these very qualifications which made them suitable candidates for immigration according to the Canadian point system. For example, one study revealed that East Indian immigrant women experienced great difficulty receiving recognition for university degrees. "Very often, an undergraduate degree from a non-Western university was rated as a Canadian grade 13 diploma. A masters degree usually meant 2 years of Canadian university education. Less than 3% of the women with a teaching degree were able to obtain a letter of standing or an interim teaching certificate in Ontario." (Murthy, 1979).

Even when women are able to obtain equivalencies for their qualifications, it is common for employers to distinguish between a degree obtained in Canada and one that is recognized as equivalent, preferring the Canadian degree when hiring. The Women's Committee of the Canadian Ethnocultural Council points out that "In most cases, the onus for determining qualifications rests with the Canadian professional institution concerned. And most often, the effort is not made to find out whether multicultural applicants with degrees or diplomas from other countries qualify for jobs. Multicultural women then fail to gain career advancement or professional employment despite the fact that immigrant women entering Canada between 1961 and 1971, for example, were better educated than native born Canadians." (Scott, 1985:9). No immigrant women's organization suggests that all foreign degrees should automatically be considered equivalent to Canadian degrees; but neither should they automatically be considered to be inferior to Canadian degrees. What is required is a system by which standards are established and equivalencies worked out in a systematic and unprejudiced manner, so that potential Canadian employers in many fields are able to adequately evaluate and compare the competency of professionals who were trained in other countries.

An additional barrier for many immigrant women is the requirement for "Canadian experience" on the part of employers. In one study, "Three-quarters of the unemployed women in the sample found it difficult to find a job in accordance to their training because of the so-called 'Canadian experience'. Some even thought a 'Canadian accent' is important in securing employment. Many job-

seekers mentioned that the employers rarely gave them a chance to discuss non-Western experience." (Murthy, 1979). This creates a pool of workers who are forced to accept poor wages and conditions at jobs well below their qualifications so that they may acquire at least one Canadian reference.

Immigrant women professionals who go to Canada Employment Centres looking for assistance and information are generally channelled into clerical or factory jobs. It is common to find women with advanced professional degrees being referred to courses as clerk typists or word processors if they are fluent in English; if they are not, they may be directed to domestic service or factory work.

Women who do not speak English or French face additional barriers. In general, only enough language training is provided to enable a woman to get a job of **any** kind, not necessarily the job she is qualified to do. A woman with professional qualifications in medicine, for example, may be offered only enough language training to enable her to work as a laboratory assistant, rather than a physician; one woman doctor from Chile was told she needed only enough English to be able to run a sewing machine!

The consequences of these practices and policies include a colossal waste of human resources, for the country as a whole, and a considerable amount of stress and alienation for immigrant women with professional skills and qualifications.

### ■ The Workload Of Women At Home

Most women in Canada today work a double day. Immigrant women often find themselves in a similar situation to Canadian-born women, in which it is assumed that they will continue to have primary responsibility for household cleaning, cooking, and childcare, while also working for pay outside the home.

Many immigrant families experience great changes in the way their family life is organized when they come to Canada. Employment opportunities, as well as the establishment of ethnic communities in Canada, have led most immigrants to live in Vancouver, Montreal, and Toronto. Eighty per cent of foreign-born women reside in large urban centres, compared with 54 per cent of



Canadian-born women. Many women find themselves immersed in urban money economies for the first time in their lives when they come to Canada. In their home countries, women may have produced a significant proportion of the family's daily needs; these items have to be purchased with money in Canada.

Many women arrive in Canada unprepared for the relatively high cost of food, housing, and clothes in many Canadian cities. As well, few realize that the training allowances available while the "head" of the household learns English or French are in fact very low. Poor wages in many employment sectors usually result in very low family incomes, and the inability to meet basic needs unless more than one adult works outside the home. The high participation rate of immigrant women in the Canadian labour force is one indication of the economic necessity experienced by immigrant women. Nevertheless, most immigrant women, whether or not they work outside the home, also have to work inside the home. When women support families on their own, this can be particularly difficult.

"Even when women work outside the home, they are still primarily responsible for organizing the work inside the home and managing the everyday contingencies of living in a highly industrialized urban setting with its concomitant social problems. Their paid work must always be organized in relation to their family responsibilities. This severely limits the options available to them... The home which is the male immigrant worker's refuge, becomes a trap for immigrant women." (Ng and Das Gupta, 1981:85).

Several researchers have pointed out that immigrant housewives provide a supply of ready, cheap labour that can be manipulated very easily according to the demands of the economy. As well, "The woman's work in the home is essential in maintaining and freeing the male immigrant worker, so that he is able to work and compete in the labour market to meet the demands for production of goods and services." (Ng and Das Gupta, 1981:85).

A major problem for women who work in the home is isolation. The social isolation experienced by many immigrant housewives has been well documented; it is especially difficult for women who do not speak English or

French, and who do not work outside the home. Because they are classified as housewives and dependants, they are not entitled to intensive language training, and often they are not able to arrange family responsibilities to enable them to attend other language classes. This is discussed more fully in the section on language, below.

### ■ How Does Their Labour Force Location Impact On Immigrant Women?

In summary, these are some of the consequences arising from immigrant women's location in the paid workforce:

- Though immigrant women are an **essential** component of the Canadian economy, providing the majority of the labour force in certain essential sectors (domestic work, garment manufacture), many immigrant women are trapped by a combination of structural realities into low-paying, insecure, dead-end jobs, which do not enable them to gain equal access to the larger workforce.
- Immigrant women are particularly vulnerable to all types of exploitation, including sexual harassment, racial discrimination, and intimidation to limit their involvement in political and union work.
- Immigrant women work in occupations known for their health hazards (plastics manufacturing, farm labour, dry cleaning).
- Immigrant women also frequently work in the "informal" labour market, as unlicensed babysitters, for example. Therefore, they are not entitled to any benefits whatever, and have very little security.
- The working hours of most immigrant women are long and irregular. Very few immigrant women are protected by labour standards legislation and union contracts. Many of these are unaware of the provisions of any existing collective agreements, or of those legislative safeguards available to them.
- Very few immigrant women workers are covered by medical and pension plans. Most women who work as domestics or babysitters would not be entitled to claim CPP.
- Most immigrant women work a second shift at home, caring for husband and children; their day is long and hard. "The double exploitation of immigrant women in domestic and employment situations is beyond the grasp of the majority of Canadian women." (Ng, 1982:87).

- The combination of language barriers, overwork, and outright discrimination prevents them from participating fully in many aspects of Canadian life; and their contribution to the country's economy is negated, underestimated, and unrewarded. "Immigrant women in the captive labour force have very little choice in what they do inside and outside the home. There are many processes that keep immigrant women in captivity both in the labour force and in the family. A system based on freedom and equality is, in fact, based on the non-freedom of some members of society... The invisible work performed by (immigrant women) provides the underpinning of a social structure which appears to be free and equal – BUT ISN'T." (Ng and Das Gupta, 1981:85).

## **ADDITIONAL BARRIERS FACED BY IMMIGRANT WOMEN**

This paper has focussed on barriers which limit immigrant women's equal participation in Canadian society, and place them at a considerable disadvantage in the labour force and outside it. Language difficulties and the lack of childcare alternatives compound all the other barriers that immigrant women have to overcome. This final section briefly reviews concerns immigrant women have identified in these two areas.

### **Barriers To Learning An Official Language**

Language is one of the most serious obstacles many immigrant women have to face in Canada. Not speaking one of the two official languages reduces a woman's ability to obtain information and services about human and civil rights, fair employment practices, health services, social welfare, Canadian law, etc. It also aggravates the problems of unemployment, underemployment, and job ghettoization. It makes women easy victims for all types of exploitation, and prevents them from making a full contribution to their new society.

Women who do not speak English or French also experience considerable isolation in their daily lives. Even the most routine activities, such as grocery shopping or walking a child to school, become nightmares for women who do not understand what is being said around them, and who are unable to communicate. In the long term, many immigrant women even become isolated from their own families, as husbands and children become fluent in the workplace and at school. This adds to immigrant women's daily load of stress, and further places them in a dependent position in relation to the rest of their family.

### **■ Language Training Programs**

Language training programs are offered by the federal and the provincial governments. The Canada Manpower Training Program (CMTP) offered by EIC provides up to a year of full-time instruction in English and French for "recently arrived permanent residents destined to the work force where an



inadequate knowledge of one of the official languages would deter entry into their trade or profession". (EIC, 1981:24).

Secretary of State has entered into agreements with provincial governments to provide part-time training to adult immigrants. It provides funding for language training for citizenship, delivered mostly in community colleges on a part-time basis. The classes are free, but no training allowances are provided.

Voluntary agencies and other groups offer a variety of language training programs. Although limited by lack of funding and not widely available, some of these programs provide exciting and useful alternative models for language training for immigrant women.

### ■ Access By Immigrant Women

It is well documented that women's access to CMTF programs is greatly limited, primarily because they enter Canada under immigration categories which are excluded from training. The CMTF program does not offer instruction to individuals "not destined to the labour market, who are seeking employment in the longer term, who do not possess an occupational skill (unskilled), or whose lack of fluency in one of the official languages is not preventing them from securing employment. . ." (EIC, 1981:24).

Family class, assisted relative, and sponsored refugee immigrants who intend to enter the workforce are not eligible for income maintenance allowances while they receive CMTF language training, since it is assumed that their sponsor will be supporting them. Those women who do qualify often find to their dismay that training allowances are not very high, and provide only for minimal costs of childcare.

Immigrant women who are not yet citizens are eligible for Language Training for Citizenship regardless of employment status, but other barriers exist. For example, women who work long hours in manual labour, or who work shifts, or who combine work outside the home with childcare and housework responsibilities inside the home, are often much too tired or too busy to attend classes in the

evening. When they do, they often find they haven't the time or energy to do the studying and preparation required to take full advantage of the classes.

Having to arrange and pay for childcare in order to attend courses is another major deterrent for women with children. Transportation and timing of classes can be another barrier to access for women who work shifts, and who have to rely on public transportation. As well, although these classes are available in most large urban centres, many smaller cities and rural areas do not provide them. Furthermore, many immigrant women do not know that these classes exist.

A general criticism of many language classes is that the style of teaching – total immersion – may not always be suitable. Many women drop out of classes because they are unable to ask questions in their own language of unilingual English teachers. The materials used for teaching English and French as a second language have also been criticized as culturally insensitive, sexist, and racist.

The type of instruction is usually very general. Groups of women with special needs do not have language classes tailored to these needs. For example, women with limited education and literacy skills will not be able to profit from a standard language class. Furthermore, the level of language proficiency achieved through these classes is seldom adequate to enable women to find employment. This is particularly difficult for professional women wanting to upgrade their qualifications, or to learn a relatively sophisticated vocabulary required for the practice of their profession.

In summary, the type and level of language training that is offered to most immigrant women is part-time, rudimentary, often inappropriate, and frequently inaccessible. Thus, women are forced to seek work in places where language skills are not required (such as garment and textile factories, hospital and institutional kitchens, laundries, cleaning companies, hotels, etc.), and where wages, status, and job security are abominably low. The Abella Commission recognized the direct link between lack of access to language training and the ghettoization of immigrant women: "One of the requirements for admission to CEIC's language program is that the language training is necessary to obtain a job. For many immigrant women, this may result in job ghettos, since a lack of English

or French does not prevent them from obtaining jobs in marginal sectors of the economy where English or French is not required." (Commission on Equality in Employment, 1984:1154).

Once a woman finds herself in a job/language ghetto, there is little opportunity for her to learn the language on the job, and EIC policies combine to ensure that she will not learn the language while unemployed, either. For example, a woman who is laid off from a factory job where she doesn't require English (and therefore did not qualify for CMTP) can collect unemployment insurance only as long as she does not enroll in full-time study. It is virtually impossible for her to upgrade language or other skills and to re-enter the labour market in a better position.

Some on-the-job language training programs have been funded by government, community groups, and unions. Although these may not totally substitute for full-time language training, they do provide an opportunity for women to improve their fluency. For women who have been unable to afford to go to language training, and had to take a job immediately after arrival, and for those who are stuck in job ghettos, workplace language training may offer the only chance to learn the language. Unfortunately, very few of these programs exist at present; as well, for immigrant women who are not in workplaces where large numbers of immigrant women are concentrated, workplace language training is not such a feasible solution.

Immigrant women's groups have been demanding the extension of language training with income support if necessary to all immigrants who need it, regardless of their immigration classification or labour market intention when they arrive in Canada. An overall revision of the language-training framework provided to immigrants is obviously long overdue, and many immigrant women's organizations have identified possible directions for programs. The question is whether the political will exists.

## Access To Childcare Services

In Canada today, "Women work. They have the same right to work as do men. Thus, many parents must take advantage of whatever childcare happens to be available, however uneven in quality. Some parents undoubtedly manage to find adequate care for their children; others do not." (Commission on Equality in Employment, 1984:178). For immigrant women who are mothers, as for all mothers, childcare is an important issue.

One 1985 study outlined the childcare-related needs of immigrant women as follows: "For most women to be bringing up young children away from home and family can be very difficult and alienating. For some women this was their first experience in the traditional Canadian role of housewife... Arrangements in relation to childcare are particularly difficult. Women find they are faced with many problems, and have to organize many aspects of their life differently when there is no one else to help care for the children... One woman stated: 'In my country, I would have taken them to my family, parents, brothers and sisters. I lived in a big family. Somebody there can take the children while I worked'." (Estable and Holmes, 1985:30). Many immigrant women find that making commercial arrangements for the care of children is a totally new experience. Difficulties in finding and paying for babysitting restricts women's abilities to work at certain jobs, to attend classes, and to improve language skills. It is not uncommon for immigrant mothers to work at nights, so they can be at home with their children during the day.

Immigrant women also have specific concerns and needs in relation to the childcare system as it exists at present. For example, the overall lack of daycare spaces, especially subsidized spaces, is a barrier for immigrant women. But also, because many women are unfamiliar with the bureaucratic structures which operate in Canada, and especially for those women who do not speak English and French, many do not know how to apply for government subsidies for daycare even if they might qualify for these.

The hours that many immigrant women work make group daycare services hard to use. In Toronto, for example, many immigrant women "have to be



at work at 8 o'clock sometimes even at 7:30. Childcare service is usually provided from 7:30. When the children are of different ages they often must go to different centres. Since many women use public transportation and travel long distances, they cannot get to work in 1/2 hour. They arrive late and this can be used against them by the employer as not being reliable employees." (WWIW, 1984:2).

Another concern is the trap that immigrant women find themselves in when they are laid off. To collect unemployment insurance benefits, they must show they are available for work, and have childcare arrangements made. On the other hand, to get or keep a subsidized space in a day care centre, a woman must be working -- another "catch-22" for the immigrant mother.

One other concern will be mentioned here, and it is in relation to the often-promoted suggestion of having childcare services at the workplace. Given the type of workplaces in which many immigrant women are forced to work, it is debatable whether these would provide a safe and healthy environment for their children. As well, the very frequent plant shutdowns and high unemployment of workers in certain sectors, such as the garment industry, would lead to a very unstable situation for their children. Some immigrant women's groups fear that such arrangements would tie immigrant women into their existing job ghettos, and prepare immigrant children for the same.

As Women Working With Immigrant Women points out, "Our society's social and economic circumstances make childcare services a necessity, but the Canadian government does not consider these services a social responsibility. For Canada, an industrialized and rich country to put the care of her children to the bottom of priorities, we foresee the future social cost much higher than the cost to provide these services today." (WWIW, 1984:3). Immigrant women's groups have supported the demand made by many other women's groups for a universally accessible, community-based, and publicly funded childcare system.

## CONCLUSION

This paper was intended to provide an overview of some of the issues and concerns which are important to immigrant women in Canada today. It is immigrant women themselves who have contributed to making these situations into "issues"; and they who have largely been responsible for documenting the particular conditions which contribute to their specific oppression. It is also to immigrant women that we should be turning when searching for solutions.

In the past decade, many grassroots and community-level groups have developed, both to provide services and to lobby and advocate for immigrant and visible minority women. Many immigrant women have also begun to strengthen regional and national networks, identifying common concerns and developing joint strategies. The wealth of expertise, the strength and the commitment of immigrant women ensure that programs and policies developed by immigrant women for immigrant women have the best chance of succeeding.

Immigrant women are becoming increasingly concerned about mainstream agencies and institutions who are "doing" work about immigrant communities. Immigrant women's organizations have been lobbying for years to have government and mainstream institutions pay more attention to their needs; however, as mainstream researchers, government departments, and social agencies jump on the "multiculturalism" bandwagon, there is a fear that research on immigrant and visible minority communities "is being used as a rationale to appropriate our own expertise and experience. And so, we have the spectre of men and women, usually middle class white and Canadian-born, in tailor made suits, going around as experts on racism, on immigrant women and multiculturalism." (WWIW Newsletter, 1986). This is a concern because funding for this type of work is very limited; if it goes to large mainstream agencies, business groups, and expert professional consultants, it is not available for immigrant women to do the work themselves. Furthermore, mainstream agencies may not be in tune with what women need, or what the community is like, whereas grass roots, community based organizations who "... have lobbied through the last decade for such funds. . . have managed to survive on meagre portions of this." (WWIW Newsletter, 1986).

Women Working With Immigrant Women suggests that there are two possible responses by organized immigrant women. One is to lobby for more funds, to enlarge the total pot of money available for this type of work. "If this demand is not taken seriously by funders, then we should simply refuse to impart our knowledge and resources to the roving 'multiculturales' when they knock on our doors." (WWIW Newsletter, 1986).

It is hoped that this paper provides the Canadian Advisory Council on the Status of Women with enough background information to enable members to understand and support the demands of immigrant women through whatever mechanisms are at their disposal.

## APPENDIX A

### PROVINCIAL LABOUR STANDARDS LEGISLATION AFFECTING DOMESTIC WORKERS

**Ontario:** The Ontario regulations are especially significant because nearly two-thirds of foreign domestic workers live in Ontario. After considerable lobbying by immigrant women's groups and domestic workers' organizations, Ontario finally included domestic workers under minimum wage provisions of the **Employment Standards Act** in 1984. The rate of pay is now \$32.00 per day, or \$176.00 per week, based on a standard work week of 44 hours.

Live-out domestics are entitled to time-and-a half for working over the 44 hours per week. Live-in domestics, however, are not covered by the hours of work and overtime pay provisions of the **Employment Standards Act**. They are entitled to only 48 hours per week off work (one period of 36 consecutive hours, and another period of 12 hours free time in every week).

A maximum of \$55.00 per week may be deducted from a live-in domestic's or nannie's wages for room and board.

The right to unionize is denied to domestics employed in Ontario private homes, according to the **Labour Relations Act**. They are denied the right to band together to negotiate with employers; they also have no recourse to the impartial tribunal provided under Section 79 ('unfair practices') of the **Labour Relations Act**.

**British Columbia:** As of 1980, minimum wage legislation applied to live-in domestics over age 18. The minimum hourly rate was set in the **Employment Standards Act** at \$3.65 per hour, or \$29.90 per day.

**Alberta:** Domestic employees in private dwellings are exempt from minimum wage regulations.



**Saskatchewan:** The **Labour Standards Act** does not apply to domestics working in private homes, unless the employer is receiving a wage subsidy from any publicly funded agency or institution. In live-in situations where the exemption applies, the minimum wage is applicable only to eight hours of the day.

**Manitoba:** The **Employment Standards Act** sets out conditions of work for domestic workers in private family homes, working over 24 hours per week. Working hours are limited to no more than 12 hours per day; the minimum wage applies for the first eight hours, after which they are entitled to the overtime rate.

Manitoba is the only province that legally protects a domestic worker's right to sleep: live-in domestic workers are entitled to at least six consecutive hours for sleeping. They are also entitled to reasonable time off to attend to personal affairs, and time off for eating meals. Domestics are also to be given at least 36 consecutive hours of free time each week without loss of pay. An employer cannot charge more than \$40.00 per week for room and board.

**Quebec:** Under the **Regulation Respecting Labour Standards**, Quebec established a separate minimum wage for live-in domestic workers of \$134.00 per week. Quebec labour law recognizes the overtime principle for live-in domestic workers, with a standard work week limited to a maximum of 53 hours, after which the worker is entitled to time and a half pay. The maximum allowable charge for room and board is \$32.90 per week. This amount is charged to the live-in employee, rather than deducted.

Live-out domestics over age 18 have a standard work week of 44 hours, with a \$4.00 per hour minimum wage.

**New Brunswick:** Domestics are not covered by labour standards legislation in this jurisdiction.

**Nova Scotia:** Labour standards legislation does not apply to domestic employees in private homes.

**Prince Edward Island:** The **Minimum Wage Act** exempts domestics employed for the purpose of caring for children in private homes. Other domestics are covered by minimum wage regulations.

**Newfoundland:** Domestics over age 16 employed in private homes are entitled to \$2.75 per hour minimum wage as of 1985. The standard wage is \$4.00 per hour. Domestics employed in private homes are not entitled to overtime pay.

**Northwest Territories:** Minimum wage legislation excludes domestics living in private homes.

**Yukon:** Domestics, defined as "a person employed to provide cooking, cleaning, gardening, maintenance, chauffeuring, sitting, nursing, tutoring or other services" are excluded from hours of work legislation.

(The above information on provincial labour standards legislation was compiled from several sources, including Labour Canada Women's Bureau 1984 publication **Canadian Women and Job Related Laws; The Canadian Labour Law Reporter**; material prepared by INTERCEDE.)



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